

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1541.00
COMPLAINT INVESTIGATOR: Roger Hubbard
DATE OF COMPLAINT: March 3, 2000
DATE OF REPORT: March 31, 2000
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: April 27, 2000

COMPLAINT ISSUES:

Whether the Northeastern Wayne Schools and the East Central Special Services violated:

- 511 IAC 7-10-3 with regard to the school's alleged failure to conduct an evaluation and convene a case conference committee (CCC) within forty instructional days of the parent's written consent for an evaluation.
- 511 IAC 7-12-1(g) with regard to the school's alleged failure to convene a CCC at the parent's request.

FINDINGS OF FACT:

1. The Student is in the twelfth grade and has been determined ineligible for special education and related services.
2. The parent spoke with the learning disability consultant on January 5, 2000, in regards to having the Student evaluated for special education services. On January 7, 2000, a copy of the *Referral for Evaluation* packet was sent home. Included in this packet was the parent "permission for evaluation." On February 8, 2000, the parent returned the *Request for Evaluation* via the Student. The school counselor noticed that the "permission for evaluation" form had not been signed and contacted the parent. The parent signed the "permission for evaluation" form on February 11, 2000. Forty instructional days will elapse on April 14, 2000.
3. The evaluation was completed on March 9, 2000, and the CCC meeting was held on March 13, 2000. The CCC determined that the Student did not qualify for special education or related services.
4. On March 2, 2000, the parent spoke with the learning disability consultant to determine the date of the CCC and requested a CCC be convened prior to the Student's participation in ISTEP. The CCC was convened on March 13, 2000, prior to the date of ISTEP testing.

CONCLUSIONS:

1. Findings of Fact #2 and #3 indicate that the school completed the evaluation and held the CCC meeting within forty instructional days of the parent's written consent. Therefore, no violation of 511 IAC 7-10-3 is found.
2. Finding of Fact #4 indicates that a CCC was convened in accordance with the parent's request that the CCC convene prior to the Student's participation in ISTEP. Therefore, no violation of 511 IAC 7-12-1(g) is found.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.